In the Hon'ble the High Court of Uttaranchal
At Nainital
CRIMINAL REVISION NO. 723 OF 2001
(Old No. 1153/1991)

Sri Vishnu Mohan S/o Sri Anand Mohan
R/o Bigha Manki Rati, Rishikesh
Distt. Tehri Garhwal …….. Revisionist / Applicant

Versus

State of U.P. ……. Opp. Party

Hon'ble M.M.Ghildiyal, J.

This revision is against the judgment and order dated 20.08.1991 passed by the Additional Sessions Judge, Dehradun maintaining the conviction of applicant u/s 304-A IPC.

The case was filed before the Allahabad High Court and after creation of Uttaranchal the same was transferred to this court. After transfer of the case from Allahabad High Court, notices were sent to the revisionist despite sufficient service none is present on behalf of the revisionist. I have perused the impugned judgment in the revision.

The facts of the case are that the complainant had come to Rishikesh along with his party for a pilgrimage on 20.09.1989. The complainant along with party was going from Rishikesh to Laxman Jhula on foot. When they reached near Chandrabhaga bridge, the Vikram tempo no. URM 8875 came from behind her and negligently collided her and caused injuries to Smt. Raghuvar Devi. The vehicle was being driven rashly and negligently. The injured was taken to the hospital where she ultimately died. The vehicle was being driven by Sri Vishva Mohan who is revisionist in the present revision. The Munsif Magistrate, Rishikesh vide order dated 19.03.1991 has convicted the accused u/s 278 and 304-A of IPC, against which the criminal appeal No. 7 of 1991 was preferred before the Sessions Judge, Dehradun. The Additional Sessions Judge dismissed the appeal and upheld the conviction and sentenced u/s 304-A of IPC and conviction and sentence u/s 279 of IPC was set aside.

I have perused the order of learned Additional Sessions Judge and find no illegality in the impugned judgment. The revision is accordingly dismissed.

(M.M.Ghildiyal, J.)

September 24, 2003

ASWAL